

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

WRIT PETITION NO. 3599 OF 2022
Divisional Controller, MSRTC and others

vs.

Ashok Daulat Chate

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. S. R. Charpe, Advocate for petitioners.

CORAM : MANISH PITALE J.

DATE : 13/07/2022

By this petition, the petitioners representing the Maharashtra State Road Transport Corporation have challenged order dated 09/07/2019, passed by the Industrial Court, whereby an application for interim stay of the order of the Labour Court filed by the petitioners was only partly allowed. The order of the Labour Court was stayed to the extent of back-wages during pendency of the revision petition on the condition that the petitioner corporation reinstates the respondent employee.

2. At the outset, this Court put a query to the learned counsel appearing for the petitioners as to what took them more than three years to approach this Court to challenge the impugned order dated

09/07/2019. There was no explanation put forth. It was also specifically asked as to whether in terms of the impugned order, they had reinstated the respondent employee to which the answer was in the negative. Only on this ground, the present writ petition deserves to be dismissed. Even otherwise this Court has considered the impugned order passed by the Industrial Court. The payment of back-wages is stayed, giving partial relief to the petitioners. During pendency of the revision petition, imposing the condition that the respondent should be reinstated cannot be said to be erroneous in the facts and circumstances of the present case.

3. Even otherwise as noted above, the impugned order was passed more than three years ago and this Court sees no reason to interfere with the same. The Writ Petition is dismissed.

JUDGE